

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKET NO. 2019-185-E

IN RE: South Carolina Energy Freedom Act )  
(H.3659) Proceeding to Establish Duke Energy )  
Carolinas, LLC's Standard Offer, Avoided )  
Cost Methodologies, Form Contract Power )  
Purchase Agreements, Commitment to Sell )  
Forms, and Any Other Terms or Conditions )  
Necessary (Includes Small Power Producers as )  
Defined in 16 United States Code 796, as )  
Amended) - S.C. Code Ann. Section 58-41- )  
20(A) )

**WALMART INC.'S  
FIRST REQUEST FOR  
PRODUCTION OF DOCUMENTS TO  
DUKE ENERGY CAROLINAS, LLC**

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Pursuant to S.C. Code Ann. Regs. 103-833 and the South Carolina Rules of Civil Procedure, Walmart Inc. ("Walmart"), by and through its attorneys, hereby requests that Duke Energy Carolinas, LLC ("DEC" or "Company") respond to this Request for Production of Documents separately and fully, under oath, and in writing within twenty (20) days of the date of service.

**INSTRUCTIONS**

1. All information shall be provided to the undersigned in the format as requested.
2. All responses to the below Request for Production of Documents shall be labeled using the same numbers as used herein.
3. If the requested information is found in other places or in other exhibits, reference shall not be made to those, but instead, the information shall be reproduced and placed in the responses to this Request for Production of Documents in the appropriate sequence.
4. Any inquiries or communication relating to questions concerning clarification of the data requested below shall be directed to the undersigned.

5. All exhibits shall be reduced to an 8 ½" x 11" format.
6. Each Request for Production of Documents shall be reproduced at the beginning of the response thereto.
7. That, in addition to the signature and verification at the close of DEC's responses, DEC's witness(es) responsible for the information contained in each response be also indicated.
8. DEC shall provide the undersigned with responses to this Request for Production of Documents as soon as possible but not later than twenty (20) days from the date of service hereof.
9. If the response to any Request for Production of Documents is that the information requested is not currently available, please state when the information requested will become available.
10. This Request for Production of Documents shall be deemed continuing so as to require DEC to supplement or amend its responses as any additional information becomes available up to and through the date of trial.
11. If a privilege not to answer a Request for Production of Documents is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.
12. If a refusal to respond to a Request for Production of Documents is based on the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of hours and costs required to conduct the search.
13. Answer each Request for Production of Documents on the basis of the entire knowledge of DEC, including information in the possession of DEC or its consultants,

representatives, agents, experts, operating divisions, business divisions, assigns, partners, and attorneys, if any.

14. If any Request for Production of Documents cannot be answered in full, respond to the extent possible and specify the reasons for DEC's inability to produce.

15. Please provide copies of the information responsive to this request in native electronic working format with all data and formulas intact.

### **DEFINITIONS**

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "You," "your," and "Company" mean DEC or any of its affiliates, officers, directors, employees, attorneys, or agents.

2. "Commission" means the Public Service Commission of South Carolina.

3. "Document" includes any written, recorded, or graphic matter, however produced or reproduced, including but not limited to correspondence, telegrams, contracts, agreements, notes in any form, memoranda, diaries, voice recording tapes, microfilms, microfiche, pictures, data processing cards or discs, computer tapes and other computer-generated and stored information or databases, work papers, calendars, minutes of meetings or any other writings or graphic matter, including copies containing marginal notes or variations of any of the foregoing, now or previously in your possession.

4. When used in reference to an individual person, "identify," "identity," and "identification" mean to state that person's full name and business address, including zip code and phone number, if known, and present or last known business position and duties, if known.

5. When used in referenced to a document, "identify," "identity," and "identification" mean to state the type of document (*e.g.*, computer-stored information, microfilm, letter, memorandum, policy circular, minute book, telegram, chart, etc.), or some other means of identifying it, and its present location and custodian. If any such document was but no long is in your possession or subject to your control, state what disposition was made of the document, and if the document was destroyed or disposed of pursuant to a retention policy, please state the retention policy.

6. When used in reference to a business organization, "identify," "identity," and "Identification" mean to state the corporate name or other names under which the organization does business and the location of its principal place of business.

**REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Please provide the initial and revised responses to all formal or informal interrogatories or data requests made by any party to this proceeding when that response is provided to the requesting party, including any responses already provided to any party.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By



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*Counsel to Walmart Inc.*

Dated: September 18, 2019